

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

**ATLANTIC STATES LEGAL FOUNDATION and
STATE OF NEW YORK, and JOHN P. CAHILL,
Commissioner of the New York State
Department of Environmental Conservation,**

Plaintiffs,

-vs-

**Case No. 88-CV-0066
(FJS)(DEP)**

**THE ONONDAGA COUNTY DEPARTMENT OF
DRAINAGE AND SANITATION and ONONDAGA
COUNTY, NEW YORK,**

JUDGE FREDERICK SCULLIN

Defendants.

**THE ONONDAGA COUNTY DEPARTMENT OF
WATER ENVIRONMENT PROTECTION (FKA
DEPARTMENT OF DRAINAGE AND SANITATION)
and ONONDAGA COUNTY, NEW YORK,**

**STIPULATION OF
DISCONTINUANCE OF
THIRD-PARTY ACTION**

Third-Party Plaintiffs

-vs-

**2.3± ACRES OF LAND IN THE CITY OF SYRACUSE,
NEW YORK IN THE AREA OF MIDLAND AVENUE,
OXFORD STREET, BLAINE STREET AND
CORTLAND AVENUE, THE CITY OF SYRACUSE,
AND THE SYRACUSE URBAN RENEWAL AGENCY,**

Third-Party Defendants

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above-entitled Third-Party action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, and pursuant and subject to the Intermunicipal Agreement entered into among the County of

Onondaga, the Onondaga County Sanitary District, the City of Syracuse, the Syracuse Urban Renewal Agency, the Syracuse Industrial Development Agency and the Board of Education of the City of Syracuse School District and executed on July 26, 2007, the above-entitled Third-Party action be and the same hereby is discontinued, with prejudice, and the Third-Party Complaint is hereby dismissed without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: July 26, 2007

MACKENZIE HUGHES LLP

By:

David M. Garber

Attorneys for Third-Party Defendants

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Dated: July 26, 2007



ANTHONY P. RIVIZZIGNO,
COUNTY ATTORNEY

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SO ORDERED



FREDERICK J. SCULLIN, JR.
SENIOR U.S. DISTRICT JUDGE

8/8/07